

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-1222

LYNETTE M. PETRUSKA,
Appellant

v.

GANNON UNIVERSITY; THE BOARD OF TRUSTEES OF GANNON
UNIVERSITY; WILLIAM I. ALFORD, II;
ROBERT H. ALLSHOUSE; JOSEPH F. ALLISON;
MICHAEL P. ALLISON, REV.; JAMES A. BALDAUF;
L. SCOTT BARNARD; GEORGE J. BEHRINGER;
ARNOLD E. BERGQUIST; LAWRENCE E. BRANDT,
REV. MSGR.; ROBERT L. BRUGGER, REV. MSGR.;
DONALD M. CARLSON; DANIEL C. CARNEVAL, D.O.;
STEPHANIE DOMITROVICH, HON.; THOMAS L. DOOLIN; JAMES J. DURATZ;
ANTOINE M. GARIBALDI; THOMAS C. GUELCHER; WILLIAM M. HILBERT,
SR.; BRIAN J. JACKMAN; JAMES W. KEIM, JR.; MARY RITA KUHN, SR., SSJ;
THOMAS J. LOFTUS; ANNE C. MCCALLION; JOSEPH T. MESSINA; MICHAEL J.
NUTTALL; JOHN E. PAGANIE; DENISE ILLIG ROBISON; JAMES J. RUTKOWSKI,
JR.; JAMES A. SCHAFFNER; HELEN M. SCHILLING, M.D., D.D.S.; JOHN M.
SCHULTZ, VERY REV.; ROBERT J. SMITH, REV. MSGR.; LAWRENCE T. SPEICE,
REV. MSGR.;
WILLIAM C. SPRINGER; JAMES G. TOOHEY; DONALD
W. TRAUTMAN, BISHOP; ANASTASIA VALIMONT, SR.
SSJ; RICARDA VINCENT, SR. SSJ; MELVIN WITHERSPOON; ALL OTHER
KNOWN AND UNKNOWN MEMBERS OF THE BOARD OF TRUSTEES OF
GANNON UNIVERSITY DURING THE TENURE OF DONALD W. TRAUTMAN, as
members of the Board of Trustees of Gannon University; DAVID RUBINO, MSGR., in
their individual and official capacities; NICHOLAS ROUCH, REV., in their individual
and official capacities

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. Civ. Action No. 04-80)
District Judge: Honorable Sean J. McLaughlin

Argued October 20, 2005

BEFORE: SMITH, ¹BECKER, and NYGAARD, *Circuit Judges*

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Western District of Pennsylvania and was argued on October 20, 2005. On consideration thereof, it is now ORDERED and ADJUDGED that the judgment of the District Court entered on December 27, 2004, be and the same hereby is affirmed in part, reversed in part, and remanded for further proceedings consistent with this opinion. The parties shall bear their own costs.

Attest:

/s/ Marcia M. Waldron
Clerk

DATED: May 24, 2006

¹The Honorable Edward R. Becker authored this opinion, but died before it was released.